

1 WEST VALLEY CITY, UTAH

2  
3 ORDINANCE NO. \_\_\_\_\_  
4

5 Draft Date: 4/21/09 \_\_\_\_\_

6 Date Adopted: \_\_\_\_\_

7 Date Effective: \_\_\_\_\_  
8

9 AN ORDINANCE AMENDING SECTIONS 18-5-103 AND 18-5-303  
10 OF TITLE 18 OF THE WEST VALLEY CITY MUNICIPAL  
11 CODE REGARDING THE STORM WATER MANAGEMENT.  
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13 WHEREAS, Title 18 of the West Valley City Municipal Code regulates storm water  
14 management; and  
15

16 WHEREAS, staff recommends a text change that will allow new developments approved by the  
17 Engineering Division to implement low impact development storm water control measures in lieu of  
18 connecting to the storm drainage system; and  
19

20 WHEREAS, the City Council of West Valley City, Utah, hereby determines that it is in the best  
21 interest of the citizens of West Valley City to amend Sections 18-5-103 and 18-5-303 of Title 18 of the  
22 West Valley Municipal Code;  
23

24 NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah, as  
25 follows:  
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27 Section 1. Repealer. Any provision of the West Valley City Code found to be in conflict with  
28 this Ordinance is hereby repealed.  
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30 Section 2. Amendment. Sections 18-5-103 and 18-5-303 of Title 18 of the West Valley City  
31 Municipal Code are hereby amended as follows:

32 18-5-103. CONNECTION TO CITY DRAINAGE SYSTEM.  
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34 Any Unit or Intermediate Drainage System Facilities constructed by a Person developing property  
35 within the City shall be connected to the appropriate Intermediate or Major Drainage System Facility  
36 constructed to serve the area which includes the Development. Exceptions may be granted in instances  
37 where the developer implements low-impact development techniques to reduce the runoff quantity, and  
38 improve water quality by treating and retaining waters onsite. All exceptions require the approval of the  
39 Engineering Division. Factors that will be considered include soil permeability, historical high-water  
40 table levels, water source protection zones within the city, adequacy of proposed design (including  
41 storage volume available, treatment best management practices implemented, long-term sustainability and  
42 maintenance commitments). The Person developing the property shall be responsible for payment of any  
43 fees that may be required by Title 8 of this Code.  
44

45 18-5-303. EXCEPTION TO STORM DRAINAGE IMPACT FEES.  
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47 Storm Drainage impact fees shall not be assessed against properties within the areas designated in  
48 the Storm Drainage Master Plan as Storm Water Retention areas ~~or and~~ for which a permanent Retention  
49 system has been approved by the Division. Except as otherwise provided herein above, Retention of  
50 Excess Waters on-site as an alternative to participating in the Drainage System contemplated by this Title  
51 is prohibited.

52           **Section 3. Severability.** If any provision of this Ordinance is declared to be invalid by a court of  
53 competent jurisdiction, the remainder shall not be affected thereby.

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55           **Section 4. Effective Date.** This Ordinance shall take effect immediately upon posting in the  
56 manner required by law.

57           **PASSED and APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER